UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

NOTICE OF INTENT TO FILE AN INFORMATION

BARRY WINSTEN,

Defendant.

08 CRIM 071

Please take notice that the United States Attorney's Office will file an information upon the defendant's waiver of indictment, pursuant to Rule 7(b) of the Federal Rules of Criminal Procedure.

Dated:

New York, New York

January 21, 2008

MICHAEL J. GARCIA United States Attorney

By:

Assistant United States Attorney

AGREED AND CONSENTED TO:

Michael Rosen, Esq.

Attorney for Barry Winsten

By:

15/08 WHEEL A

SULLIVAN